

PATENT
Docket No. 275.00030103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Li et al.)
Serial No.: 10/772,661)
Confirmation No.: 5608)
Filed: February 5, 2004)
For: COMPOSITION AND METHOD FOR IN VIVO AND IN VITRO
ATTENUATION OF GENE EXPRESSION USING DOUBLE STRANDED
RNA)

Group Art Unit: 1645
Examiner: Tracy Ann Vivlemore

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of candor and good faith that is to be demonstrated before the United States Patent and Trademark Office (USPTO), enclosed are copies of documents which Applicants bring to the Examiner's attention as possibly being of interest in connection with the above-identified patent application. Per M.P.E.P. § 609, the information cited in the present Information Disclosure Statement shall not be construed to be an admission that the information is, or is considered to be, material to patentability. Consideration of each of the documents listed on the attached 1449 form(s) is respectfully requested. Pursuant to the provisions of MPEP §609, Applicants further request that a copy of the 1449 form(s), marked as being considered and initialed by the Examiner, be returned with the next Official Communication.

It is believed that no fee is due, as this Information Disclosure Statement is filed prior to the receipt of any Action on the merits. However, in the event a fee is due, please charge any fee or credit any overpayment to Account No. 13-4895.

Supplemental Information Disclosure Statement

Page 2 of 2

Applicant(s): LI et al.

Serial No.: 10/772,661

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For: *COMPOSITION AND METHOD FOR IN VIVO AND IN VITRO ATTENUATION OF GENE EXPRESSION USING DOUBLE STRANDED RNA*

When the Examiner takes up the present application, consideration of these documents is respectfully requested. The Examiner is invited to contact Applicants' Representatives at the below-listed telephone number, if they can be of any assistance during prosecution of the present application.

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 11 day of MARCH, 2005.

Sandy Truehart
Name: Sandy Truehart

March 11, 2005.
Date

Respectfully submitted for
LI et al.

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**INFORMATION
DISCLOSURE
STATEMENT**

Atty. Docket No.: 275.00030103

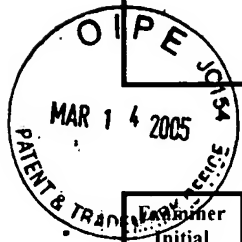
Serial No.: 10/772,661

Applicant(s): LI et al.

Confirmation No.: 5608

Application Filing Date: 02/05/04

Group: 1645

Information Disclosure Statement mailed: 3-11, 2005**U.S. PATENT DOCUMENTS**

Examiner Initial	Copy Enclosed	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
		5,580,859	12/03/96	Felgner et al.			
		5,624,803	04/29/97	Noonberg et al.			
		5,631,148	05/20/97	Urdea			

FOREIGN PATENT DOCUMENTS

Examiner Initial	Copy Enclosed	Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	✗	1994/01550	01/20/94	WO				
	✗	1995/15378	06/08/95	WO				
	✗	1997/11170	3/27/97	WO				

OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)

Examiner Initial	Copy Enclosed	Document Description
	✗	Adams, "RNA Therapeutics Enter Clinical Trials," (2005) The Scientist, Volume 19, Issue 1, Retrieved from the Internet on 01/18/05. Retrived as http://www.the-scientist.com/2005/1/17/28/1 6 pages
	✗	Andino, "RNAi puts a lid on virus replication," (2003) Nature Biotechnology, Vol. 21, No.6, pgs. 629-630
	✗	Caplen, "RNAi quashes polyQ," (2004) Nature Medicine, Vol.10, No. 8, pgs. 775-776
	✗	Check, "Hopes rise for RNA therapy as mouse study hits target," (2004) Nature, Vol. 432, pg. 136
	✗	Dorland's Illustrated Medical Dictionary, (2000) 29 th Edition, page 1140
	✗	Heidel et al., "Lack of interferon response in animals to naked siRNAs," (2004) Nature Biotechnology, Vol. 22, No. 12, pgs.1579-1582
	✗	McCaffrey et al., "RNA Interference in Adult Mice," (2002) Nature, Vol. 418, pages 38-39

EXAMINER	Date Considered
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

INFORMATION DISCLOSURE STATEMENT	Atty. Docket No.: 275.00030103	Serial No.: 10/772,661
	Applicant(s): LI et al.	Confirmation No.: 5608
	Application Filing Date: 02/05/04	Group: 1645
	Information Disclosure Statement mailed: <u>3-11</u> , 2005	

Examiner Initial	Copy Enclosed	Document Description
	✖	McCaffrey et al., "Inhibition of hepatitis B virus in mice by RNA interference," (2003) Nature Biotechnology, Vol. 21, No. 6, pgs. 639-644
	✖	<u>News Release</u> . "Acuity Pharmaceuticals Closes \$15 Million Financing and Initiates First-Ever Clinical Trial of an RNAi Therapeutic," Philadelphia, October 7/PRNewswire, retrieved from the Internet. Retrived as http://www.biospace.com/news_story.cfm?StoryID=17599420&full=1&print=1 (1 of 3)1/31/2005 11:10:52 a.m. 2 pages
	✖	<u>News Release</u> . Sirna Therapeutics. "Sirna Therapeutics Commences Phase I Clinical Trial for Age-Related Macular Degeneration at Cleveland Clinic," Boulder, Colo., Nov 23/PRNewsire. Retrieved from the Internet. Retrieved as http://phx.corporate-ir.net/phoenix.zhtml?c=141787&p=irol-newsArticle&ID=646830&highlight= (1 of 4) 01/31/05 11:16:03 AM, 4 pages
	✖	<u>News Release</u> . Sirna Therapeutics. "Sirna Therapeutics and Targeted Genetics Form Huntington's Disease Collaboration," Boulder, Colo. and Seattle, Jan. 11/PRNewswire. Retrieved from the Internet. Retrieved as http://phx.corporate-ir.net/phoenix.zhtml?c=141787&p=irol-newsArticle&ID=661337&highlights= (1 of 4) 01/31/05 11:14:20 AM, 4 pages
	✖	Rossi, "A Cholesterol Connection in RNAi," (2004) Nature, Vol. 432, pgs.155-156
	✖	Soutschek et al., "Therapeutic silencing of an endogenous gene by systemic administration of modified siRNAs," (2004) Nature, Vol. 432, pgs. 173-178
	✖	ZFIN - The Zebrafish Model Organism Database. Database Information Sheet. Copyright © University of Oregon, 1994-2005, Eugene, Oregon. Retrieved from the Internet on 03/07/05. http://zfin.org/zf_info/dbase/db.html , 2 pages.
	✖	Xi et al., "RNAi suppresses polyglutamine-induced neurodegeneration in a model of spinocerebellar ataxia," (2004) Nature Medicine, Vol.10, No. 8, pgs. 816-820

EXAMINER	Date Considered
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

JFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): LI et al. Group Art Unit: 1645
Serial No.: 10/772,661 Examiner: : Tracy Ann Vivlemore
Filed: February 5, 2004 Docket No.: 275.0003 0103
Confirmation No.: 5608
Title: COMPOSITION AND METHOD FOR IN VIVO AND IN VITRO ATTENUATION OF GENE EXPRESSION USING DOUBLE STRANDED RNA

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

- ☒ **Small entity status is entitled to be asserted in the above-identified application.**
- ☐ An itemized return postcard.
- ☐ A Petition for Extension of Time for __ month(s) and a check in the amount of \$__ for the required fee.
- ☒ A Supplemental Information Disclosure Statement (2 pgs); 1449 forms (2 pgs); and copies of 18 documents cited on the 1449 forms.
- ☐ A request for continued examination (RCE) and a check in the amount of \$__, for the required filing fee.
- ☐ An Appeal Brief and a check in the amount of \$__, for the required Appeal Brief filing fee.
- ☐ A check in the amount of \$__, representing ____.
- ☐ A certified copy of a __ application, Serial No. __, filed _____, the right of priority of which is claimed under 35 U.S.C. §119.
- ☐ Other: ____.
- ☐ Amendment ☐ No Additional fee is required. ☐ The fee has been calculated as shown:

Fee Calculation for Claims Pending After Amendment					
	Pending Claims after Amendment (1)	Claims Paid for Earlier (2)	Number of Additional Claims (1-2)	Cost per Additional Claim	Additional Fees Required
Total Claims				x \$25 =	
Independent Claims				x \$100 =	
One or More New Multiple Dependent Claims Presented? If Yes, Add \$180 Here →					
Total Additional Claim Fees Required					

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

CERTIFICATE UNDER 37 C.F.R. §1.8: The undersigned hereby certifies that this Transmittal Letter and the paper(s), as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 11th day of March, 2005.

MUETING, RAASCH & GEBHARDT, P.A.
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By:
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